

2171

PTO/SB/21 (modified) (02-04)

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/032,077	
	Filing Date	December 31, 2001	
	First Named Inventor	David C. Dysert	
	Art Unit	2171	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	10	Attorney Docket Number	EMC-047PUS

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Copy of Assignment Document
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paul D. Durkee Daly, Crowley & Mofford, LLP
Signature	<i>Paul D. Durkee</i>
Date	24 May 04

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Paul D. Durkee
Signature	<i>Paul D. Durkee</i>
Date	24 May 04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEBRUARY 27, 2002

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INTELLECTUAL PROPERTY GROUP  
1600 TYSONS BOULEVARD  
MCLEAN, VIRGINIA 22102



\*101937877A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/31/2001

REEL/FRAME: 012426/0051

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

DYSERT, DAVID C.

DOC DATE: 12/31/2001

ASSIGNOR:

BOUDRIE, ROBERT A.

DOC DATE: 12/28/2001

ASSIGNEE:

EMC CORPORATION  
35 PARKWOOD DRIVE  
HOPKINTON, MASSACHUSETTS 01748

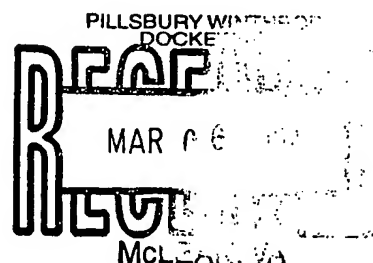
SERIAL NUMBER: 10032077

FILING DATE: 12/31/2001

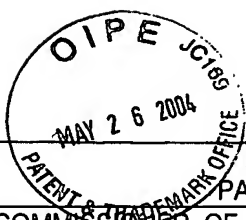
PATENT NUMBER:

ISSUE DATE:

ALLYSON PURNELL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



01-09-2002



TO THE ASSISTANT COMMISSIONER OF  
SIR: PLEASE RECORD THE ATTACHED OR

101937877

## 1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):

1. David C. DYSEY

2. Robert A. BOUDRIE

3.

4.

5.

6.

7.

## 2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: EMC Corporation

ADDRESS: 35 Parkwood Drive, Hopkinton, Massachusetts 01748

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? ☐ YES ☒ NO

## 3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)☒ ASSIGNMENT OF☒ WHOLE☐ PART INTEREST☐ ORIGINAL☒ FACSIMILE/PHOTOCOPY☐ CHANGE OF NAME☐ VERIFIED TRANSLATION☐ SECURITY☐ MERGER☐ OTHER:EXEC. DATE: December 31, 2001 and  
December 28, 2001EXECUTION DATE(S) ON THE DECLARATION IF FILED HERewith: (NOTE: IF DATES ON DECLARATION AND  
ASSIGNMENT DIFFER SEE ATTY!) DECEMBER 31, 2001 and December 28, 20014.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? ☐ YES ☒ NO

A. PAT. APP. NO.(S) series code/serial no	M#	1 <sup>st</sup> INVENTOR if not in item 1	B. PATENT NO.(S)	M#	1 <sup>st</sup> INVENTOR if not in item 1
NEW APPLICATION	283211				

5. Name & Address of Party to Whom Correspondence  
Concerning Document Should be Mailed:

Pillsbury Winthrop LLP  
Intellectual Property Group  
1600 Tysons Boulevard  
McLean, VA 22102

6. NUMBER INVOLVED:  
APPLNS 1 + PATS 0 = TOTAL 17. AMOUNT OF FEE ENCLOSED: (Code 581)  
ABOVE TOTAL x \$40 = \$40.00

5.5 ATTY DKT:

PMS 283211

EMC-01-172

8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE  
INSUFFICIENCY TO DEPOSIT ACCOUNT NUMBER: 03-3975  
UNDER ORDER NO 23501 283211

MATTER NO.

CLIENT REF.

dup. sheet not required

CLIENT NO.

MATTER NO.

## 9. STATEMENT AND SIGNATURE.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of  
the original document.10. Total number of pages including this  
cover sheet, attachments and document  
(do not file dup. Cover sheet)

4

Signature

Attorney: Anthony L. Miele

Reg. No. 34393

Date: December 31, 2001

Atty/Sec: ALM/sdm

TEL: (703) 905-2146

FAX: (703) 905-2500

01/03/2002 HADELR1 00000030 10032077

FILE WITH PTO RETURN RECEIPT (PAT-103A)

02 FC:581

40.00 OP

PATENT/Joint Assignment  
Attorney Docket No.: EMC-01-172

### ASSIGNMENT

WHEREAS, we, David C. Dysert and Robert A. Boudrie, have invented an invention comprising and/or embodying certain improvements or discoveries or both as described in an application for Letters Patent of the United States entitled *LOGICAL RESTORES OF PHYSICALLY BACKED UP DATA*, the specification of which:

☒ is being executed on even date herewith and is about to be filed in the United States Patent Office;

☐ was filed on \_\_\_\_\_ as U.S. Application No. \_\_\_\_\_;

☐ was patented under U.S. Patent No. \_\_\_\_\_ on \_\_\_\_\_.

WHEREAS, EMC Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business at 35 Parkwood Drive, Hopkinton, Massachusetts 01748 desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey to ASSIGNEE all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the

PATENT/Joint Assignment  
Attorney Docket No.: EMC-01-172

-2-

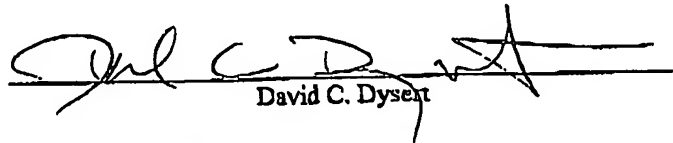
giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals as set forth below:

Date:

12/31/01

  
David C. Dysert

Print full name of first inventor:

David C. Dysert

Residence:

355 Adams Street, Holliston, MA 01746

Citizenship:

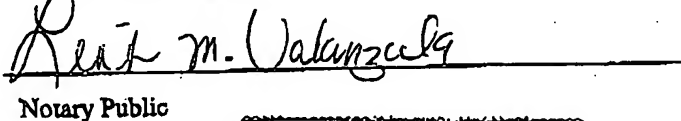
USA

Mailing Address:

355 Adams Street, Holliston, MA 01746

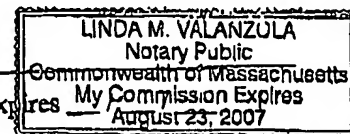
STATE/Commonwealth of Massachusetts  
COUNTY OF Middlesex

Then personally appeared before me the above-named David C. Dysert and acknowledged that he executed the foregoing instrument as his free act and deed this 31 day of December, 2001.

  
Notary Public

Print Name: \_\_\_\_\_

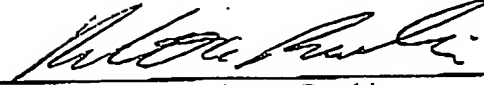
My Commission expires \_\_\_\_\_



PATENT/Joint Assignment  
Attorney Docket No.: EMC-01-172

-3-

Date: 12-28-01



Robert A. Boudrie

Print full name of second inventor:

Robert A. Boudrie

Residence:

66 Carriage House Path, Ashland, MA 01721

Citizenship:

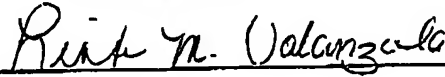
USA

Mailing Address:

66 Carriage House Path, Ashland, MA 01721

STATE/Commonwealth of Massachusetts  
COUNTY OF Middlesex

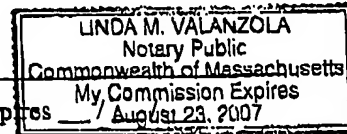
Then personally appeared before me the above-named Robert A. Boudrie and acknowledged that he executed the foregoing instrument as his free act and deed this 28 day of December, 2001.



Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_\_





PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/032,077  
Applicant : David C. Dysert et al.  
Filed : December 31, 2001  
T.C./A.U. : 2171  
Examiner : Not Yet Assigned

Confirmation No.: 5619

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Technology Center 2100

Docket No. : EMC-047PUS (EMC-01-172)  
Customer No. : 022494

Certificate of Mailing (37 C.F.R. 1.8(a))

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24 May 04  
Date of Signature  
and Mail Deposit

By:

Paul D. Durkee  
Paul D. Durkee  
Reg. No. 41,003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REVOCATION OF POWER AND APPOINTMENT OF NEW POWER OF ATTORNEY

Sir:

EMC Corporation, having a principal office at 176 South Street, Hopkinton, Massachusetts 01748, represents that it is the owner of record of all title, right and interest in the above-identified patent application by virtue of an assignment dated December 31, 2001, which is enclosed herewith. Assignee has reviewed the evidentiary documents pertaining to the rights of Assignee to take this action and certifies that, to the best of Assignee's knowledge and belief, title to the above-identified patent application is in Assignee.

The undersigned, whose title is supplied below, is empowered to act and authorized to execute this document on behalf of the Assignee and hereby revokes all previous powers in the above-identified application and respectfully requests the appointment of:

John M. Gunther	Reg. No. 26,175
Leanne J. Fitzgerald	Reg. No. 40,606
Krishnendu Gupta	Reg. No. 37,977
Penelope S. Wilson	Reg. No. 29,751
William R. Clark	Reg. No. 29,523
Robert Kevin Perkins	Reg. No. 36,634
Scott A. Ouellette	Reg. No. 38,573

all of EMC Corporation, 176 South Street, Hopkinton, MA 01748, and

Christopher S. Daly	Reg. No. 37,303
Judith C. Crowley	Reg. No. 35,091
Donald F. Mofford	Reg. No. 33,740
Paul D. Durkee	Reg. No. 41,003
Richard M. Sharkansky	Reg. No. 25,800
Kermit Robinson	Reg. No. 48,734

all of Daly, Crowley & Mofford, LLP, 275 Turnpike Street, Suite 101, Canton, Massachusetts 02021-2310, jointly, and each of them severally, my attorneys at law, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all telephone calls and address all correspondence to:

Paul D. Durkee  
Daly, Crowley & Mofford, LLP  
275 Turnpike Street, Suite 101  
Canton, Massachusetts 02021-2310  
Telephone no. (781) 401-9988 x21  
Facsimile: (781) 401-9966  
pdd@dc-m.com



The Commissioner is hereby authorized to charge any other fees under 37 C.F.R. §1.16 and §1.17 that may be required, or credit any overpayment, to our Deposit Account No. 50-0845.

Respectfully submitted,

May 20, 2004  
Date

Respectfully submitted,

EMC Corporation

R. Kevin Perkins  
R. Kevin Perkins, Esq. (Reg. No. 36,634)  
EMC Corporation  
176 South Street  
Hopkinton, MA 01748

Daly, Crowley & Mofford, LLP  
275 Turnpike Street – Suite 101  
Canton, MA 02021-2310  
Telephone: (781) 401-9988  
Facsimile: (781) 401-9966